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JAN 24 2007

Application No. : 10/650,605

Confirmation No. : 8310

Inventor : Edmund O. Schweitzer III

Filed : 08/28/2003

TC/A.U. : 2836

Examiner : Ann Thi Hoang

Title : DISTANCE PROTECTIVE RELAY USING A PROGRAMMABLE
THERMAL MODEL FOR THERMAL PROTECTION

Docket No. : 1444-0003

To: Office of Petitions
Commissioner for Patents
VIA FACSIMILE (571) 273-8300PETITION TO WITHDRAW WITHHOLDING OF ABANDONMENT CFR §1.181

Sir:

On August 28, 2003, an application was filed and assigned Serial No. 10/650,605. On August 14, 2006, we received a Notice of Allowance and Fee(s) Due Statement for the application identified herein, with a required due date of November 13, 2006. Our office filed the Notice of Allowance and Fee(s) Due Statement via facsimile on November 10, 2006, three days prior to the due date, authorizing the Issue Fee of \$1,400.00 and the Publication Fee of \$300.00 be charged to our Deposit Account.

On December 28, 2006, the file was abandoned for non-payment of the required fees.

Appl. No. 10/650,605

PETITION TO WITHDRAW WITHHOLDING OF ABANDONMENT CFR §1.181

JAN 24 2007

A review of this file indicates that, although we authorized the required fees to be charged to our Deposit Account, the Deposit Account number was omitted from the Issue Fee Transmittal Form, PTOL-85. (Attached as Exhibit A)

A further review of this file brings to our attention a Fee Transmittal, PTO/SB/17, filed on January 20, 2004, authorizing The Director to *Charge any additional fee(s) or any underpayment of fee(s)*. (Attached as Exhibit B)

In addition, on January 31, 2006, a Reply to the Office Action of November 1, 2005 was submitted. On Page 9 of said Reply, the Conclusion paragraph included the statement "*Further, although no additional fees are believed to be due at this time, the Commissioner is authorized to charge any additional fees or deficiencies or credit any overpayments to Cook, Alex. McFarron, Manzo, Cummings & Mehler, Ltd., Deposit Account No. 50-1039 with reference to attorney dockter number (1444-0003)*". (Attached as Exhibit C)

As a result of the previously-submitted Fee Transmittal, we feel that the Issue Fees should have been authorized to our Deposit Account.

We respectfully request that you review the enclosed Exhibits, and Withdraw the Withholding of the Issuance of this Patent.

Respectfully submitted,

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.

By:


David Mundt, Reg. No. 41,207

200 West Adams Street, Suite 2850
Chicago, Illinois 60606

Telephone (312) 419-0800
Facsimile (312) 419-0703

January 24, 2007

Page 2 of 2

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EXHIBIT A, PAGE 2, OF 3

PTO/SB/87 (09-06)

Approved for use through 03/31/2007. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

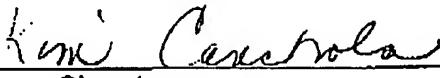
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Certificate of Transmission under 37 CFR 1.8

Issue Fee Transmittal for Serial No. 10/650,605

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on November 11, 2006
Date



Signature

Kim Canchola

Typed or printed name of person signing Certificate

(312) 419-0800

Registration Number, if applicable

Telephone Number

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

JAN 24 2007

*** TX REPORT ***

EXHIBIT A, PAGE 3 OF 3

TRANSMISSION OK

TX/RX NO	2318
CONNECTION TEL	915712732885
SUBADDRESS	
CONNECTION ID	
ST. TIME	11/10 08:52
USAGE T	00'39
PGS. SENT	
RESULT	OK



FACSIMILE TRANSMISSION

COOK, ALEX, MCFARRON, MANZO, CUMMINGS & MEHLER, LTD.

One North Wacker Drive, Suite 4130

Chicago, Illinois 60606

Telephone: (312) 419-0800

Faxsimile: (312) 419-0703

To: Commissioner for Patents **Date:** November 10, 2006
Mail Stop Issue Fee

Fax #: (571) 273-2885 **Pages:** 3, including this cover sheet.

From: David M. Mundt, Esq.

Subject: ISSUE FEE TRANSMITTAL FOR Serial No. 10/650,605
Docket No. 1444-0003

COMMENTS:

The following documents are transmitted herewith:

- 1 Page Facsimile Coversheet
- 1 Page PTOL-85
- 1 Page Certificate of Transmission via Facsimile

Appl. No. 10/650,605
Reply to Office Action of November 1, 2005

EXHIBIT C, PAGE 1 OF 1

submits that as all elements of claim 1 are not disclosed by the combined disclosure of Griesemer and Davis, an obviousness rejection cannot be sustained. Applicant further respectfully submits that as claims 2 through 7 are directly or indirectly dependent on claim 1, if Examiner should find claim 1 allowable, all other claims should be allowed as well.

CONCLUSION

Applicant respectfully submits that in light of the arguments set forth in this response, this application is now in condition for allowance, and respectfully requests that a timely Notice of Allowance be issued. However, should Examiner be of the opinion that further amendments or response is required, Applicant encourages Examiner to contact the undersigned attorney at the telephone number set forth below. Further, although no additional fees are believed to be due at this time, the Commissioner is authorized to charge any additional fees or deficiencies or credit any overpayments to Cook, Alex, McFarron, Manzo, Cummings & Mehler, Ltd., Deposit Account No. 50-1039 with reference to attorney docket number (1444-0003).

Respectfully submitted,

COOK, ALEX, McFARRON, MANZO,
CUMMINGS & MEHLER, LTD.

By: 
David Mundt, Reg. No. 41,207

200 West Adams Street, Suite 2850
Chicago, Illinois 60606

(312) 984-0144 (Telephone)
(312) 984-0146 (Facsimile)

PART B - FEE(S) TRANSMITTAL EXHIBIT A, PAGE 1 OF 3

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax (571)-273-2885

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JAN 24 2007

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

7590

08/11/2006

David M. Mundt, Esq.
Cook, Alex, McFarron, Manzo, Cummings
& Meliar, Ltd.
200 West Adams Street, Suite 2850
Chicago, IL 60606

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmittal.

Certificate of Mailing or Transmission
I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

Kim Canchola	(Depositor's name)
<i>Kim Canchola</i>	(Signature)
November 10, 2006	(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/650,605	08/28/2003	Edmund O. Schweitzer III	1444-0003	8310

TITLE OF INVENTION: DISTANCE PROTECTIVE RELAY USING A PROGRAMMABLE THERMAL MODEL FOR THERMAL PROTECTION

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1400	\$300	\$0	\$1700	11/13/2006

EXAMINER	ART UNIT	CLASS-SUBCLASS
HOANG, ANN THI	2836	361-103000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.36.). <input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. <input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47: Rev 03-02 or more recent) attached. Use of a Customer Number is required.	2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.	1. <u>Cook, Alex, McFarron,</u> 2. <u>Manzo, Cummings &</u> 3. <u>Mehler, Ltd.</u>
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3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Schweitzer Engineering Laboratories, Inc. Pullman, Washington U.S.A.

Please check the appropriate assignee category or categories (will not be printed on the patent): Individual Corporation or other private group entity Government

4a. The following fee(s) are submitted:

Issue Fee
 Publication Fee (No small entity discount permitted)
 Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

A check is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

 a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant, a registered attorney or agent, or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature David M. MundtDate November 10, 2006Typed or printed name David M. MundtRegistration No. 41,207

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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EXHIBIT B, PAGE 1 of 1 PTO/SB/17 (10-03)

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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

Complete If Known

Application Number	10/650,605
Filing Date	August 28, 2003
First Named Inventor	Schweitzer, III, Edmund O.
Examiner Name	Not Yet Assigned
Art Unit	Not Yet Assigned
Attorney Docket No.	1444-00033

METHOD OF PAYMENT (check all that apply)

 Check Credit card Money Order Other None
 Deposit Account:

Deposit Account Number	50-1039
Deposit Account Name	COOK, ALEX, MCFARRON, MANZO, CUMMINGS & MEHLER

The Director is authorized to: (check all that apply)

 Charge fee(s) indicated below Credit any overpayments
 Charge any additional fee(s) or any underpayment of fee(s)
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity	Small Entity	Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	285	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1) (\$)					

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims		Fee from below	Fee Paid
	-20** =	X		
Independent Claims				
Multiple Dependent				

Large Entity	Small Entity	Fee Code (\$)	Fee Description
1202	18	2202	9 Claims in excess of 20
1201	86	2201	43 Independent claims in excess of 3
1203	290	2203	145 Multiple dependent claim, if not paid
1204	86	2204	43 ** Reissue independent claims over original patent
1205	18	2205	9 ** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2) (\$)			

**or number previously paid, if greater; For Reissues, see above

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051	130	2051 65 Surcharge - late filing fee or oath	130.00
1052	50	2052 25 Surcharge - late provisional filing fee or cover sheet	
1053	130	1053 130 Non-English specification	
1812	2,520	1812 2,520 For filing a request for ex parte reexamination	
1804	920*	1804 920* Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805 1,840* Requesting publication of SIR after Examiner action	
1251	110	2251 55 Extension for reply within first month	
1252	420	2252 210 Extension for reply within second month	
1253	950	2253 475 Extension for reply within third month	
1254	1,480	2254 740 Extension for reply within fourth month	
1255	2,010	2255 1,005 Extension for reply within fifth month	
1401	330	2401 165 Notice of Appeal	
1402	330	2402 165 Filing a brief in support of an appeal	
1403	290	2403 145 Request for oral hearing	
1451	1,510	1451 1,510 Petition to institute a public use proceeding	
1452	110	2452 55 Petition to revive - unavoidable	
1453	1,330	2453 665 Petition to revive - unintentional	
1501	1,330	2501 865 Utility issue fee (or reissue)	
1502	480	2502 240 Design issue fee	
1503	640	2503 320 Plant issue fee	
1460	130	1460 130 Petitions to the Commissioner	
1807	50	1807 50 Processing fee under 37 CFR 1.17(q)	
1806	160	1806 180 Submission of Information Disclosure Stmt	
6021	40	8021 40 Recording each patent assignment per property (times number of properties)	
1809	770	2809 385 Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810 385 For each additional invention to be examined (37 CFR 1.129(b))	
1801	770	2601 385 Request for Continued Examination (RCE)	
1802	900	1802 900 Request for expedited examination of a design application	
Other fee (specify) _____			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3) (\$)	130.00

(Complete if applicable)

Name (Print/Type)	David M. Mundt	Registration No. (Attorney/Agent)	41,207	Telephone (312) 984-0144
Signature		Date	1-20-2004	

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To: Office of Petitions**From:** David M. Mundt, Esq.

Commissioner for Patents

Attorney of Record, Reg. No. 41,207

Fax: 571-273-8300**Pages:** 8

Phone: 571-272-3282**Date:** 1/24/2007

Re: Application Serial No. 10/650,605**CC:**

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